

REMARKS

Claims 1-20 are pending in the application.

Claims 14-20 are allowable as filed.

Claims 1-7 and 10-12 have been rejected.

Claims 8, 9, and 13 have been objected to.

Claims 15 and 19 have been amended, as set forth herein.

I. ALLOWABLE SUBJECT MATTER

Applicant courteously thanks the Examiner for indicating claims 14-20 allowable as filed. Because the Applicant believes that Claims 8, 9, and 13 depend from allowable base claims, the Applicant prefers not to rewrite Claims 8, 9, and 13 in independent form, at this time.

II. CLAIM DEPENDENCY CORRECTIONS

Claims 15 and 19 have been amended to correct the dependency of the claims. The scopes of claims 15 and 19 remain *unchanged*, and they depend on a previously-indicated allowable base claim.

III. REJECTION UNDER 35 U.S.C. § 102

In the Office Action dated January 24, 2005, claims 1-7 and 10-12 were rejected under 35 U.S.C. § 102 over U.S. Pat. No. 6,614,837 B1 (Abdelgany). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Independent Claim 1 recites a radio transmitter in which a digital processor receives digital data. The digital processor digitally modulates the digital data to produce a digital information signal. The digital processor also compensates the digital information signal to produce a pre-compensated digital information signal that is pre-compensated for group delay variation and magnitude response characteristics of at least one downstream filter.

It is respectfully submitted that claim 1 is not disclosed by Abdelgany. The Office Action cited the digital processor described in column 5, lines 44-56, of Abdelgany as teaching the subject matter recited in claim 1. However, the digital processor as described in Abdelgany is not the same as the digital processor recited in claim 1, because Abdelgany does not teach *digitally modulat[ing] the digital data to produce a digital information signal, and that compensates the digital information signal to produce a pre-compensated digital information signal that is pre-compensated for group delay variation and magnitude response characteristics of at least one downstream filter.*

Also, Abdelgany fails to teach the use of *phase locked loop (PLL) circuitry*, as recited in claim 1. In fact, Abdelgany expressly teaches away from the use of phase locked loop circuitry by expressly disclaiming the use of translational loop circuitry. (column 8, lines 18-23). As defined in the present specification, and as known in the art, translational loops are a class of PLL-based transmitters. *Application* at 3. Accordingly, claim 1 is not anticipated by Abdelgany. Dependent claims 2-7 and 10 are allowable for at least the same reasons as corresponding independent claim 1.

Claim 11 is also allowable since Abdelgany teaches away from the use of a *narrow band loop filter of a phase locked loop*. Further, because Abdelgany teaches away from using a PLL, the element of *filtering frequency components produced by a PLL reference signal, in the narrow band loop filter of the PLL* is clearly not anticipated. Also, for similar reasons given above for the allowability of claim 1, Abdelgany does not teach the element of *producing, in a digital processor, a magnitude response that is substantially inverted to a magnitude response of the PLL for a specified frequency band of interest to compensate for the partial distortion by the*

loop filter of the PLL of the continuous waveform signal. Accordingly, claim 10 is not anticipated by Abdelgany. Dependent claim 11 is also allowable for at least the same reasons as claim 10.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at jharrison@texaspatents.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126

Respectfully submitted,

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